

## *REPORTING REQUIREMENTS FOR USERS OF CHLORINE GAS AND/OR LARGE QUANTITY CHEMICALS*



Water systems using chlorine gas for disinfection or other large quantity chemicals should be aware of the Hawaii Emergency Planning and Community Right-to-Know Act filing requirements for the 2000 reporting year. The 1993 Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA) requires an annual submission of chemical inventories by covered facilities which must include: the Hawaii Chemical Inventory Form (HCIF) (in place of the Federal Tier II form); facility maps indicating chemical storage locations; and a \$100 filing fee per/year/facility (payable to HSERC/HEER). The deadline for filing was March 1, 2001, for inventories compiled during the 2000 calendar year.

Send completed Hawaii Chemical Inventory/Tier II Forms to each of the following organizations:

- (1) The Hawaii State Emergency Response Commission (HSERC)/HEER Office (586-4249).
- (2) Your Local Emergency Planning Committee (LEPC).
- (3) The fire department with jurisdiction over your facility.

### **Hazardous Substance Release Notification and Inventory Guidelines are covered under the following:**

- Emergency Planning and Community Right-to-Know Act of 1986 §302, §304, §311, §312, and §313.
- Hawaii Emergency Planning and Community Right-to-Know Act, Hawaii Revised Statutes §128E-6, §128E-7, and §128E-9.
- The State Contingency Plan, Title 11 Chapter 451, Hawaii Administrative Rules §11-451-7.
- Comprehensive Environmental Response Compensation and Liability Act §103.

You need to report hazardous substances that were present at your facility at any time during the previous calendar year at levels that equal or exceed reporting thresholds established for Hawaii Chemical Inventory Form/Tier II (HCIF) reporting under the Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA). These thresholds are as follows:

For extremely Hazardous Substances (EHS) designated under section 302 of The Emergency Planning and Community Right-to-Know Act (EPCRA), the reporting threshold is 500 pounds (or 227 kg) or the Threshold Planning Quantity (TPQ) whichever is lower. **The Threshold Planning Quantity (TPQ) for chlorine gas is 100 pounds.**

For all other hazardous chemicals for which facilities are required to have or prepare a Material Safety Data Sheet (MSDS), the reporting threshold is 10,000 pounds or (4,540 kg).

Any owner or operator who violates any HCIF reporting requirements shall be liable to the State of Hawaii for a civil penalty of up to \$25,000 for each such violation. Each day of a violation constitutes a separate violation.



While you may not be required to notify the State of your annual chemical inventories (if you store less than 100 pounds of chlorine gas or store less than the reporting thresholds of other reportable hazardous substances), you should be aware that you must report any spills or releases that exceed the reportable quantity (RQ). The reportable quantity (RQ) for a chlorine gas release is 10 pounds.

If you have any questions regarding HEPCRA, please contact Denis Shimamoto of the Department of Health, Hazard Evaluation and Emergency Response (HEER) Office at (808) 586-4249 or call direct from your island on our toll-free numbers, ext. 64249: 974-4000 from Hawaii, 984-2400 from Maui, 274-3141 from Kauai, and 1-800-468-4644 from Molokai or Lanai.

## ***CERTIFICATION REFRESHER TRAINING COURSE FOR DISTRIBUTION SYSTEM OPERATORS***

### **CERTIFICATION REFRESHER TRAINING COURSE FOR WATER DISTRIBUTION SYSTEM OPERATORS Two-day Workshops with No Fee to Attend**

**Where/When:** Piiholo WTF, Makawao - May 10 & 11, 2001 \*  
Kulana 'Oiwai, Kaunakakai - May 24 & 25, 2001 \*  
State Office Bldg., Wailuku - May 30 & 31, 2001 \*\*  
NELHA Conf. Rm., Keahole-Kona - June 4 & 5, 2001 \*\*  
Environmental Health Facility, Hilo - June 7 & 8, 2001 \*\*  
DOH Laboratory Facility, Pearl City - June 18 & 19, 2001 \*\*  
Kauai Department of Water - Board Room, Lihue - June 21 & 22, 2001 \*

**Times:** \* 7:30 a.m. to 4:00 p.m. / \*\* 7:45 a.m. to 4:15 p.m.

**Sponsored by:** Hawaii Department of Health, Safe Drinking Water Branch and the U.S. Environmental Protection Agency.

**Presented by:** Rural Community Assistance Corporation

Drinking water distribution system operations and maintenance personnel are invited to attend and participate in the workshop on certification refresher training topics. The workshop will cover material which should be familiar to water distribution system operators preparing to take the Department of Health /ABC Certification examination in June. Course registration may be limited by classroom capacity. First preference will be given to those who are planning to re-take the ABC Certification examination on June 26, 2001.

#### **Workshop Topics will include:**

- Solving Math Problems/Cert. Exam Preparation Tips
- Infrastructure/Wells & Pumps
- Cross-connections/Backflow Prevention
- Preventive Maintenance
- Water Sources/Water Quality/Water Treatment
- Leak Detection & Repair
- Operator Responsibilities/Safety

**Registration can be made only by contacting Glenn Johansen, RCAC at (808) 896-3886.**

***Registration deadline for the June 26, 2001 certification exam has passed. The next scheduled water distribution system exam is November 27, 2001 (the deadline for applications for this exam is August 27, 2001.) The water treatment plant operator certification exam is scheduled for September 11, 2001 (the deadline for applications for this exam is June 11, 2001.***



**Conference UPDATE**  
**AWWA Hawaii Section 27<sup>th</sup> Annual Conference**  
**“Pacific Directions in Water”**  
**May 1 – 4, 2001 Renaissance Ilikai Waikiki Hotel**



**From the Conference Chair’s Cubicle ...**

Aloha to all my friends and fellow water professionals across the Pacific Rim. Just a friendly reminder that we are less than a week away from the annual conference. Time to stop procrastinating, dig under that “In-Box” pile, find that registration form and send it in.

The annual conference is the most important event on the Hawaii Section’s calendar. Your support ensures the continued exchange of water industry knowledge and expertise in Hawaii as well as across the Pacific Basin. The conference benefits this year from our association with the Mayor’s Asia Pacific Environmental Summit (APES), May 4-6, 2001. As an official Endorsing Organization of the APES event, AWWA intends to stay one of the more visible water organizations in the Pacific. The *Hawaii Section* is, of course, the initial link for many of the Pacific Rim nations through our extensive Water For People program and contacts with the Pacific Water Association.

*The conference program features three extremely diverse concurrent sessions, including topics on water utility management, rate planning, regulatory updates, developing a statewide operator training facility, groundwater studies, leak detection technologies, microfiltration, diversity, a small systems panel and a special presentation on what has got to be one of the more unique water systems in the United States, the U.S. National Park Service’s Grand Canyon Water System (special door prizes at this one!). In addition, the Wednesday Meet n’ Greet, the Thursday night banquet, the Friday golf and tennis tournaments and the field trip to the Honolulu Board of Water Supply’s Waihe’e Tunnel all offer a chance to meet new friends and catch up on old acquaintances. **So get that registration packet in!** If you need another registration packet mailed to you, “no shame”. Just give me a call at (808) 586-4258 or drop me an e-mail at [mmiyahira@eha.health.state.hi.us](mailto:mmiyahira@eha.health.state.hi.us) and we’ll send one to you.*

**Michael Miyahira, Chair**  
**27<sup>th</sup> Annual Conference Committee**

## **ANNUAL AWWA HAWAII SECTION PRE-CONFERENCE WORKSHOP WATER UTILITY MANAGEMENT TOPICS WORKSHOP**

Water System owners, managers, supervisors and any others interested in participating may plan to attend a one-day workshop on Utility Management. This is a pre-conference workshop being presented on May 1<sup>st</sup> from 8:00 a.m. to 5:00 p.m. at the Hawaii Section of the American Water Works Association's 2001 Annual Conference in Honolulu. The workshop is intended for those who were unable to attend the utility management workshops presented in October and November of 1999. Participants will learn the principles involved in managing a water utility. Individual knowledge and skills will be enhanced by interactive participation.

The workshop is sponsored by the Hawaii Department of Health with support from U.S. Environmental Protection Agency. The workshop is presented by the Rural Community Assistance Corporation.

Topics to be covered will include the functions of a manager, principles of planning & organizing, managing operations and maintenance, staffing & employment policies, human resource management, labor relations/problem employees, capacity development & demonstration, effective communication, conducting meetings, safety policy/program, emergency response plans, public relations, customer relations, records management, financial management and budgeting.

The workshop will utilize the Utility Management manual produced by the California State University, Sacramento, Office of Water Programs. Each participant will receive a copy of the manual.

Participants will be encouraged to complete the objective test contained in the manual. Upon successful completion of the test, participants can receive a certificate of completion and continuing education units credit from CSUS, Office of Water Programs.

Note: Register for this workshop when registering for the Hawaii Section AWWA 2001 Annual Conference. For more information regarding the Water Utility Management workshop please contact Glenn Johansen at (808) 896-3886. For information regarding the 27<sup>th</sup> Annual AWWA Conference please contact Michael Miyahira at (808) 586-4258.

### ***RULES AND REGULATIONS (UPCOMING IN 2001)***

<b><i>Drinking Water Needs Survey</i></b>	<b><i>Statutory deadline</i></b>	<b><i>February 2001</i></b>
<b><i>Filter Backwash Rule</i></b>	<b><i>Final</i></b>	<b><i>2001</i></b>
<b><i>Radon Regulations</i></b>	<b><i>Final</i></b>	<b><i>2001</i></b>
<b><i>Long-term Interim Enhanced Surface Water Treatment Rule</i></b>	<b><i>Final</i></b>	<b><i>2001</i></b>
<b><i>Groundwater Rule</i></b>	<b><i>Final</i></b>	<b><i>2001</i></b>
<b><i>Secondary Standard for MTBE</i></b>	<b><i>Final</i></b>	<b><i>2001</i></b>
<b><i>Stage 2 Disinfectant/Disinfection By-Product Rule</i></b>	<b><i>Proposed</i></b>	<b><i>late Spring 2001</i></b>
<b><i>Long-term Stage 2 Enhanced Surface Water Treatment Rule</i></b>	<b><i>Proposed</i></b>	<b><i>late Spring 2001</i></b>
<b><i>Arsenic Rule</i></b>	<b><i>Final</i></b>	<b><i>On-hold (for further review)</i></b>
<b><i>Contaminant Candidate List Regulatory Determinations</i></b>	<b><i>Final</i></b>	<b><i>August 2001 (statutory deadline)</i></b>
<b><i>Regulations for Six-Year Review</i></b>	<b><i>Proposed</i></b>	

## FINAL RADIONUCLIDES RULE

On December 7, 2000, EPA published the final Radionuclides Rules in the Federal Register (65 FR 76708).

**An overview of the final rule is as follows:**

**Effective date:** The final Radionuclides Rule is effective December 8, 2003, with the initial monitoring period to end on December 31, 2007.

**Applicability:** This final rule will apply only to community water systems.

**MCLGs:** The MCLG for all radionuclides will be zero.

**MCL for Radium-226 and Radium-228:** the final rule will maintain the current MCL of 5 pCi/L for combined Ra-226 and Ra-228, but water systems will be required to measure Ra-226 and Ra-228 separately.

**MCL for beta/photon radioactivity:** the final rule will maintain the current MCL of  $\leq 4$  mrem/y for beta/photon radioactivity. States will determine which systems are vulnerable and therefore required to sample. States will use a screen of 50 pCi/L to determine whether a reduction in sampling is allowed.

**Gross alpha:** The final rule will maintain the current MCL of 15 pCi/L for gross alpha (excluding uranium and radon, but including Ra-226). There is no change to gross alpha due to Ra-224.

**Polonium-210:** This final rule does not change the requirements for Polonium-210, which is currently included in gross alpha measurements.

**Lead-210:** This rule does not add any requirements for Lead-210, which is currently not regulated. Monitoring for Lead-210 will be required under the UCMR.

**Uranium:** the final rule includes a new uranium MCL of 30 ug/L. The EPA Administrator used the discretionary authority under section 1412(b)(6) of the SDWA to set the MCL at a level higher than the feasible level (20 ug/L) because the benefits at the lower level did not justify the costs.

**Monitoring Locations:** this final rule changes the monitoring location for all radionuclides to entry point to the distribution (EPTDS). Water systems will be required to perform monitoring at each EPTDS, not in the distribution system as previously required. The rule does not allow for compositing of spatial samples or the use of a "representative well" for a group of wells located near each other that draw from the same aquifer.

**Monitoring Frequency:** This final rule implements use of the Standard Monitoring Framework (SMF). In order to synchronize the monitoring periods for radionuclides with the SMF, the initial monitoring will end December 31, 2007. EPA expects states will phase-in monitoring during the period between the effective date of the rule and the end of the monitoring period.

**Temporal Compositing:** This final rule allows water systems to composite up to four consecutive quarterly samples from a single entry point if the analysis is done within one year of collecting the first sample.

**Grandfathering data:** This final rule allows each state to develop its own procedures and criteria for grandfathering existing data that was collected in the distribution system. If a state plans to allow grandfathering of data, the state must include the procedure and criteria it proposes to use to evaluate the acceptability of this data as part of their primacy package for review by the EPA Regional Office.

**Gross alpha as a substitute:** This final rule allows systems to use gross alpha particle activity measurement as a substitute for Ra-226 (if the gross alpha level does not exceed 5 pCi/L) and uranium (if the gross alpha level does not exceed 15 pCi/L).

**Analytical methods:** the final rule provides clarifications for the current analytical methods, most of which were included in the March 7, 1997 Final Rule for Analytical Methods for Radionuclides.

The final Arsenic Rule was signed on January 16, 2001 by the U.S. Environmental Protection Agency and by President Clinton the following day. This rule revised the drinking water standard for arsenic, as well as sets monitoring and demonstration of compliance requirements for new systems and new sources of drinking water. Also part of the final rule is the determination of compliance after an exceedance for an inorganic contaminant (IOC), volatile organic contaminant (VOC), or synthetic organic contaminants (SOC).

The **new MCL** for arsenic will be 0.01 mg/L. This level is higher than the feasible level of 0.003 mg/L, since EPA has determined that costs do not justify the benefits at the lower level. EPA is authorized to set this level under section 1412(b)(6) of the Safe Drinking Water Act (SDWA). The **MCLG** for arsenic will be zero. The new MCL will be applicable to community and non-transient non-community water systems and will become **effective 60 days after the final rule is published**. Water systems will have **five (5) years to comply** with the new arsenic MCL.

For the **2005-2007 Compliance Monitoring Period**, all water systems will be required to monitor to show compliance with the new arsenic MCL. Samples that are taken in 2005 (before systems must comply with the new MCL) will be acceptable to show compliance provided that the analytical method used is approved for use by this final rule. If the analytical method used to analyze the sample taken in 2005 has a detection limit that is higher than the new MCL, the system will be required to monitor the system for arsenic again in 2006 (surface water) or 2007 (groundwater) to demonstrate compliance with the new MCL.

Beginning with the July 1, 2002, **Consumer confidence reports**, water systems will be required to include language about arsenic, as follows:

- ☞ If the arsenic level is between the new MCL (0.01 mg/L) and the existing MCL (0.05 mg/L), the water system must include the mandatory health effects language for arsenic.
- ☞ If the arsenic level is between 0.005 mg/L (½ the new MCL) and the new MCL, the water system must include additional risk-related information on arsenic.

**Public notification requirements:** The final rule includes a Tier 2 violation for an arsenic MCL violation and a Tier 3 violation for monitoring and reporting violations.

**Monitoring for new systems and new sources:** EPA has included a requirement that new systems and systems using new sources need to demonstrate compliance with drinking water requirements for IOCs, VOCs, and SOCs according to a state-specified schedule. The state will have the flexibility to establish initial sampling frequencies and compliance periods. The effective date of this requirement is 60 days from publication of the final rule and the compliance date for this requirement is three (3) years from publication of the final rule.

**Compliance determination procedures** have been clarified for water systems after exceedances for IOCs, VOCs, and SOCs. Specifically, if a water system is on an increased monitoring schedule (e.g., quarterly monitoring) and fails to collect the required number of samples, compliance will be based on the total number of samples collected. The effective date and compliance date for these requirements are both three years from publication of the final rule.

**State Primacy Requirements:** A state must revise its programs to adopt any part of this final rule that is more stringent than the approved state program. However, as part of the final rule, EPA has clarified that states will not be required to submit information included at 40 CFR 142.16(e) for primacy revisions associated with the revised arsenic MCL. This information will only be required for regulations related to new contaminants, not revisions of existing regulations.

**Special Primacy Requirements:** (1) For an existing regulated contaminant such as arsenic, states may indicate in their primacy application that they will use the existing monitoring plans and waiver criteria previously approved for inorganic and organic contaminants. Or states may opt to make changes to the monitoring plans and waiver procedures, if desired. (2) Requires states to establish initial monitoring requirements for new systems and new sources. States are to explain to EPA their monitoring schedule and how they will ensure compliance with existing MCLs and monitoring requirements. If states establish monitoring requirements on a case-by-case basis, they are to explain factors considered in determinations.

**A Bush administration order on January 20, 2001, will put a hold (for review) on several late-hour rulemakings by the Clinton administration, including several Safe Drinking Water Act rules (of which the Arsenic Rule is a part of.) The arsenic rule will be studied to determine if the 0.01 mg/L MCL is too stringent.**



On January 16, 2001, EPA published, in the Federal Register, revisions to the Stage 1 Disinfectant/Disinfection By-Product Rule (D/DBPR) and the Interim Enhanced Surface Water Treatment Rule (IESWTR). These revisions were prompted by adverse public comments to the direct final rule originally published in the Federal Register on April 14, 2000 and which were withdrawn on June 13, 2000.

These new revisions move the compliance date from December 2001 to January 2002 for both the Stage 1 D/DBPR and the IESWTR, so that the monitoring periods will better coincide with the calendar quarters. Other changes include clarification of requirements regarding analytical methods, clarification of determining of criteria for returning to routine monitoring from increased monitoring for smaller groundwater and surface water systems, clarification of determining compliance for systems monitoring less frequently than quarterly, clarification of chlorite monitoring requirements, and clarification of reporting requirements.

These new revisions do not include language relating to how consecutive systems must monitor, as were included in the April 2000 direct final rule. EPA has indicated that they will be taking additional public comments on this issue when the proposed Stage 2 DBP Rule and the proposed Long-term (2) ESWTR are published for public comments. EPA decided not to include the language that if a system failed to replace within five (5) days continuous turbidity monitoring equipment that failed (as is required in the final IESWTR), that this would be a violation, as was proposed in the April 14, 2000 direct final rule. EPA indicated that whether this will be considered a violation will again be considered in future rulemaking efforts.



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## **CONTACTING THE SAFE DRINKING WATER BRANCH**

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### **TELEPHONE NUMBERS**

	<b><u>Telephone Number</u></b>	<b><u>FAX Number</u></b>	<b><u>Toll-free Number to reach Honolulu Office</u></b>
<b>HONOLULU:</b>	<b>586-4258</b>	<b>586-4370</b>	-----
<b>KAUAI:</b>	<b>241-3323</b>	<b>241-3566</b>	<b>274-3141, ext. 64258</b>
<b>MAUI:</b>	<b>984-8234</b>	<b>984-8222</b>	<b>984-2400, ext. 64258</b>
<b>WEST HAWAII:</b>	<b>322-7011</b>	<b>324-0028</b>	<b>974-4000, ext. 64258</b>
<b>EAST HAWAII:</b>	<b>933-0401</b>	<b>933-0400</b>	<b>974-4000, ext. 64258</b>
<b>MOLOKAI/LANAI:</b>	-----	-----	<b>1-800-468-4644, ext. 64258</b>

*The Water Spot 2001 is published by the Safe Drinking Water Branch, Environmental Management Division of the Hawai'i State Department of Health and is distributed to water purveyors, water system operators, staff, consultants, and other interested parties.*

*The Water Spot 2001 may also be viewed on the Safe Drinking Water Branch's web site at:  
<http://www.hawaii.gov/health/eh/sdwb>*

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*Please send your  
suggestions, ideas,  
questions or  
comments to:*

***THE WATER SPOT 2001**  
Safe Drinking Water Branch  
State Department of Health  
919 Ala Moana Blvd., Room 308  
Honolulu, Hawaii 96814*

*OR*

*Fax us at (808) 586-4370, Attn: "THE WATER SPOT 2001"*

*SDWB WEB SITE:*

*<http://www.hawaii.gov/health/eh/sdwb>*

*HISWAP WEB SITE:*

*<http://www.aloha.net/~will/hiswap.html>*

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